

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

JEAN FRANK PHILLIPS

PLAINTIFF

V.

CIVIL ACTION NO. 1:08CV291-B-D

LEGGETT & PLATT, INC.

DEFENDANT

ORDER

This cause comes before the court upon the plaintiff's motion for attorney fees and the defendant's motion to stay judgment pending appeal. Upon due consideration, the court finds that both motions are well taken and shall be granted.

The defendant opposes the plaintiff's motion for attorney fees only on the basis that it opposes the verdict and the court's denial of summary judgment in this case. The defendant asserts that the verdict was unsupported by the evidence, that the plaintiff's claims were time-barred by Title VII's statute of limitations, and that the plaintiff's claims were barred for her failure to exhaust administrative remedies. The defendant, however, does not object to the reasonableness of the \$33,082.00 amount in attorney fees requested, in the event the verdict in this case is upheld on the appeal currently pending in the United States Court of Appeals for the Fifth Circuit.

The court, therefore, finds that the plaintiff's motion for attorney fees is well taken and shall be granted but also that the defendant's motion to stay judgment pending appeal, unopposed by the plaintiff, shall be granted. The stay of judgment shall apply to this court's award of \$33,082.00 in attorney fees.

It is hereby **ORDERED AND ADJUDGED**

that the plaintiff's motion for attorney fees is **GRANTED** and

that the defendant's motion to stay judgment pending appeal is **GRANTED**.

This, the 15th day of March, 2011.

/s/ Neal Biggers

NEAL B. BIGGERS, JR.
SENIOR U.S. DISTRICT JUDGE